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Oct/Nov 2019

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WILDY BOOK NEWS

Volume 24 Issue 10 Published Monthly

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Pictures this month include the launch of our book, *High Principle, Low Politics, and the Emergence of the Supreme Court* at the UCL Judicial Institute. We were honoured to have many senior law figures in attendance.

We also have a tribute to Kath and Roger Bayliss on page 6. They will be missed.

‘Wildy’

**FOR FURTHER INFORMATION
ON THE TITLES LISTED IN THIS MONTH’S BOOK NEWS
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*Launch of **High Principle, Low Politics, and the Emergence of the Supreme Court** at the UCL Judicial Institute*



Ann-Marie Vowles and Patrick Butler



Baroness Hale, President of the Supreme Court



The author, Frederic Reynold, at work signing copies



Baroness Hale with Sir John Mummery, Andrew Riddoch, Lord Hendy and Brian Hill

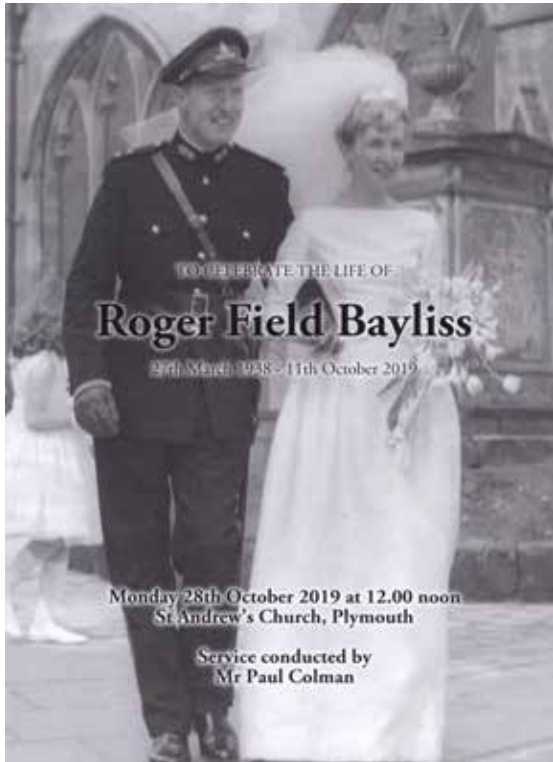
Kath and Roger Bayliss

1938 - 2019

We regret to note the passing of Kath Bayliss in early September, the loving wife and business partner to her husband Roger, who sadly has also passed just five weeks later on the 11th of October, both were 81 years of age.

Together they ran their company Roger Bayliss Professional Representation. The company was based in Plymouth and supplied books, subscriptions and related services to law libraries throughout the British Isles, Ireland and the Channel Islands, their personal and professional service will be remembered by many of you.

Roger in particular, was well known to publishers and customers alike throughout the legal profession. For many years, he was a keen attendee at the annual conference of The British



and Irish Association of Law Librarians. (BIALL)

We have received so many comments about Kath and Roger Bayliss but the ones most often repeated were of their generosity and kindness towards everyone who encountered them. Roger in particular will be fondly remembered for his dry wit and almost 'endless' anecdotes and stories.

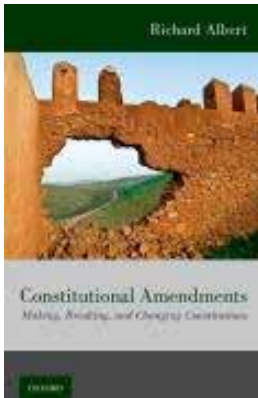
Roger and Kath finally retired after many years of service in 2016, they will be sadly missed by all that knew them. Our thoughts and prayers go out to their son Will, their daughter Sarah and all of their immediate and extended family.

To quote one other comment we received, 'this truly is the end of an era'.

John Sinkins
Chairman
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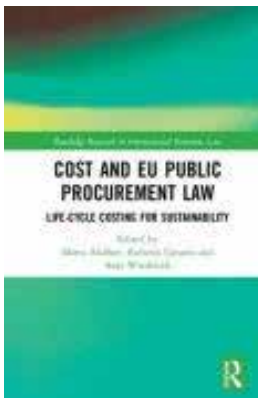
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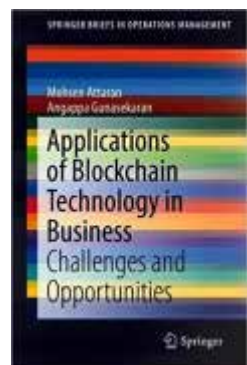
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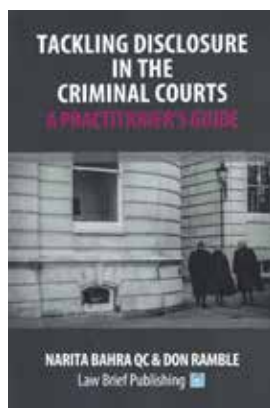
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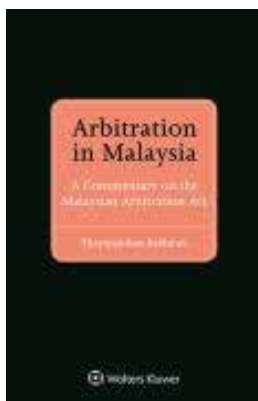
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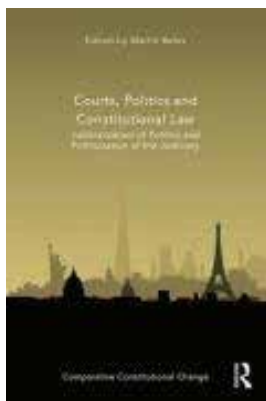
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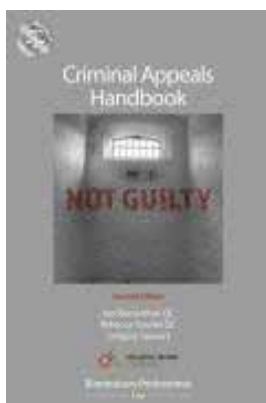
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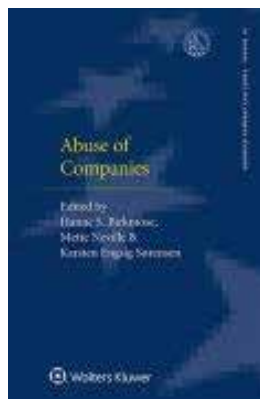
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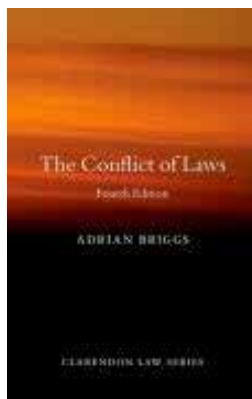
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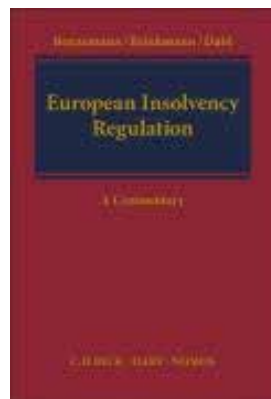
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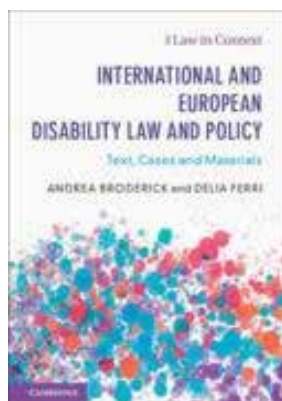
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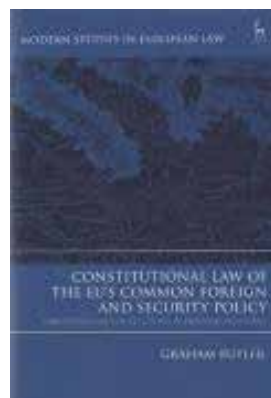
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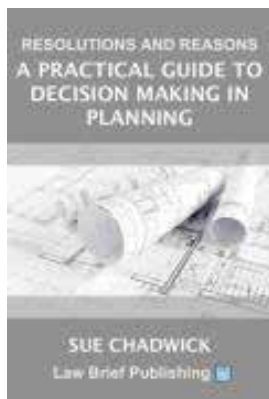
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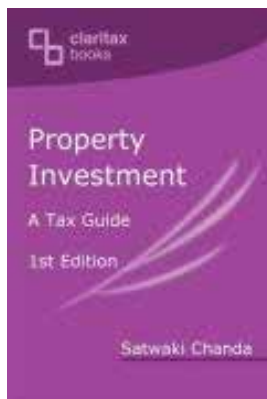
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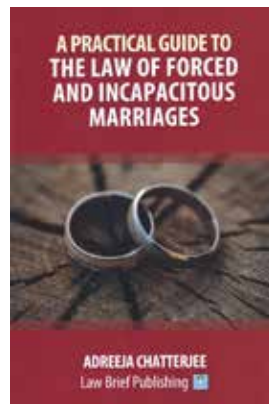
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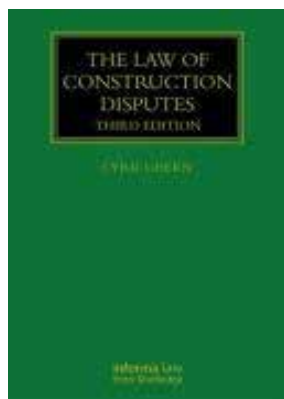
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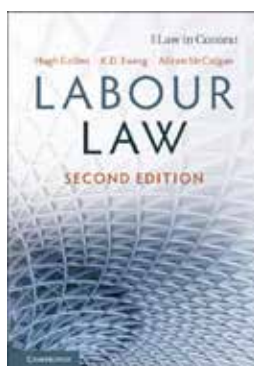
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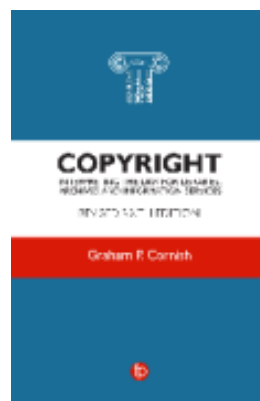
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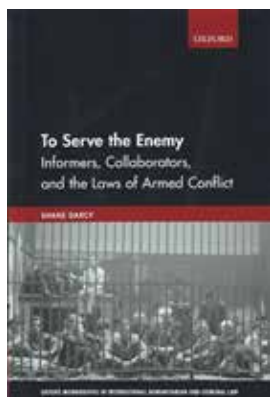
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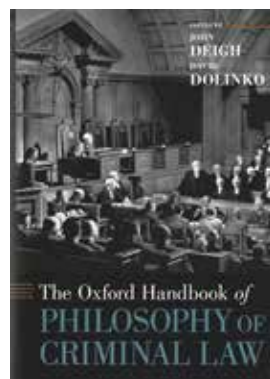
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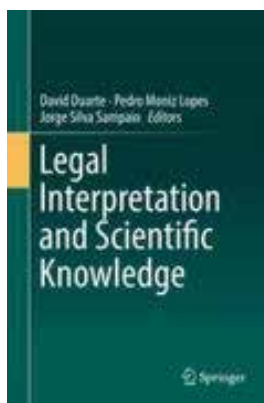
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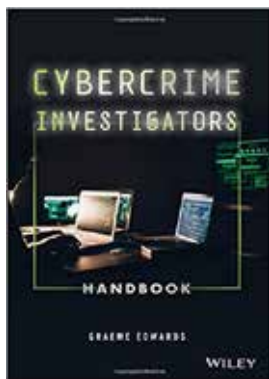
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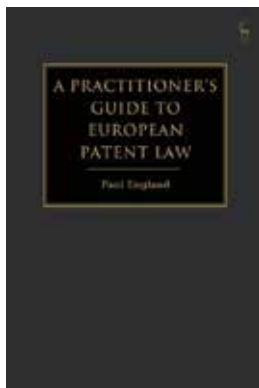
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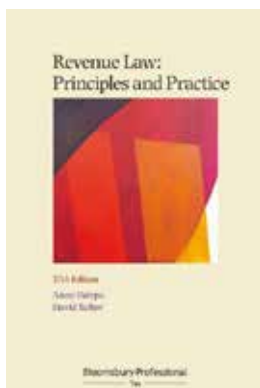
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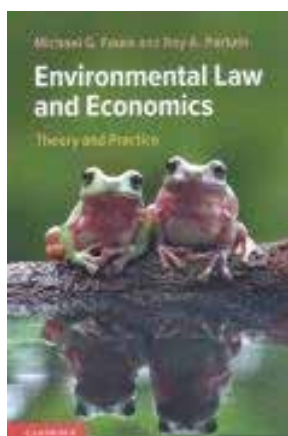
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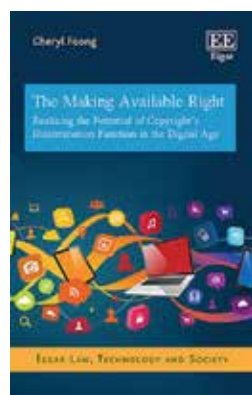
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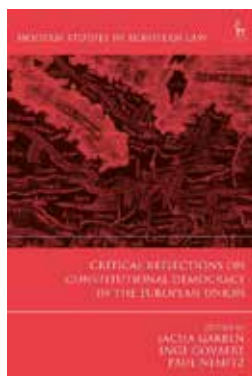
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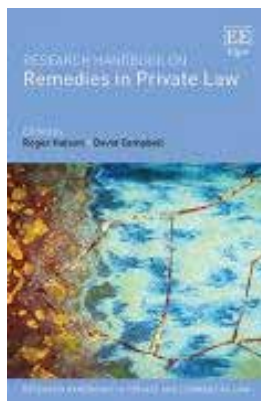
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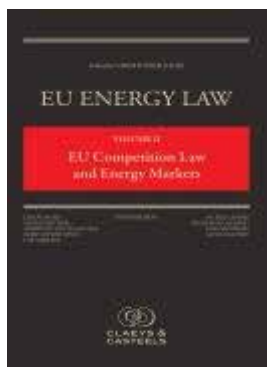
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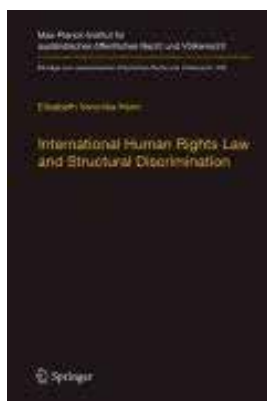
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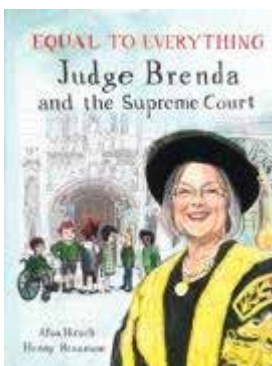
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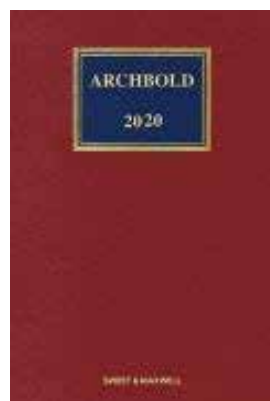
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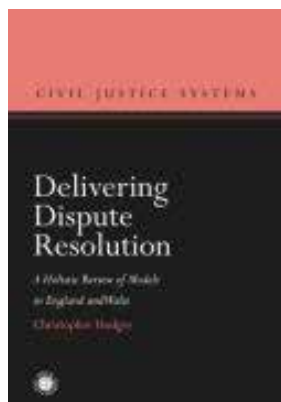
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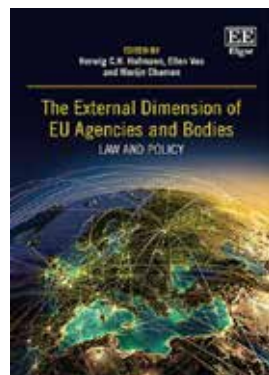
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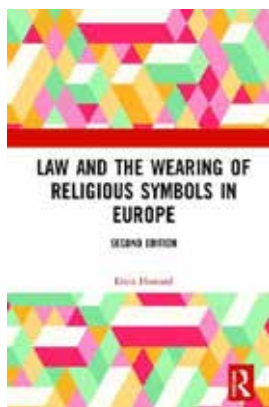
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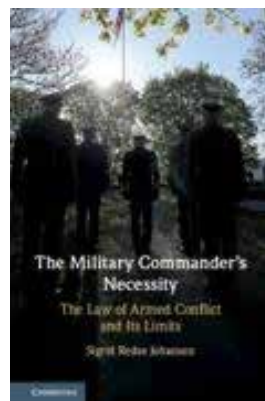
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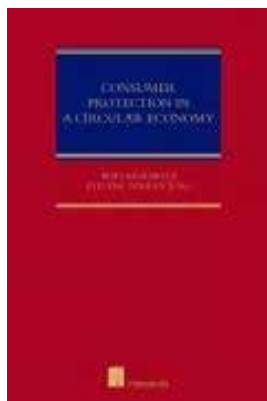
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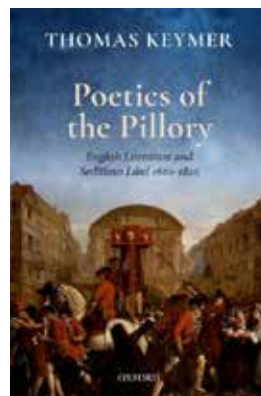
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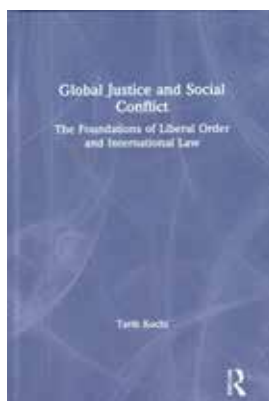
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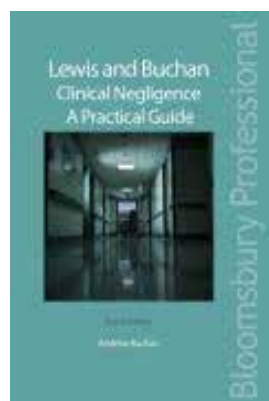
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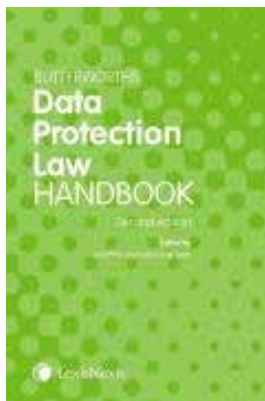
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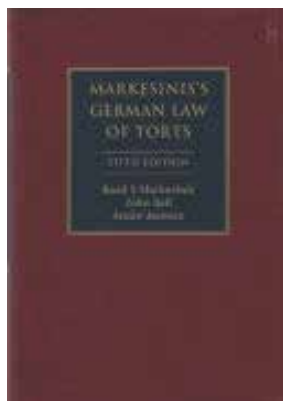
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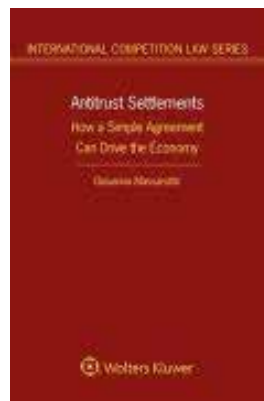
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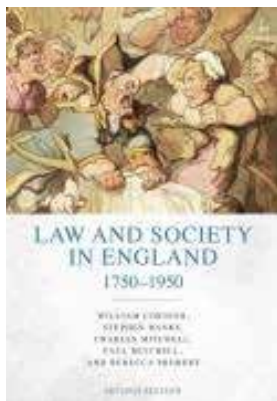
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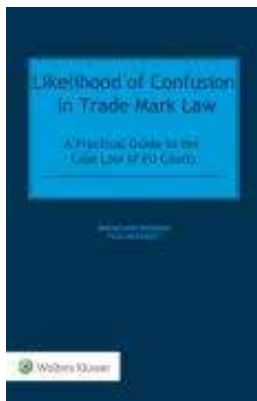
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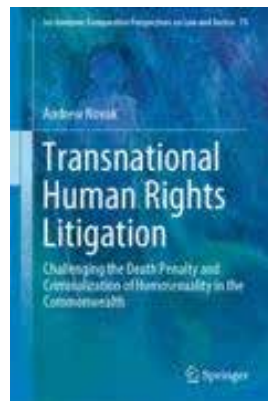
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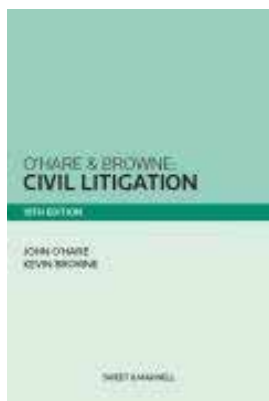
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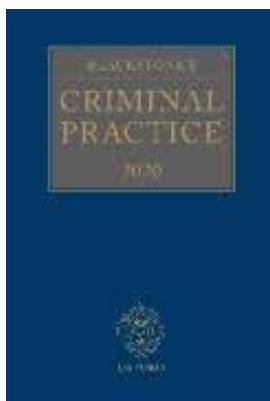
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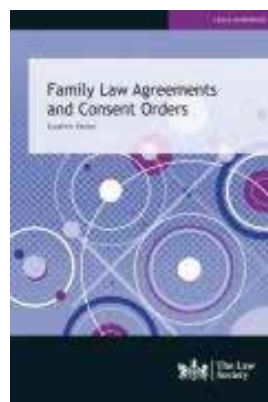
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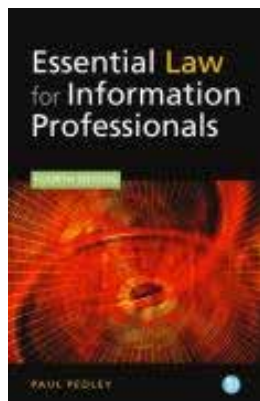
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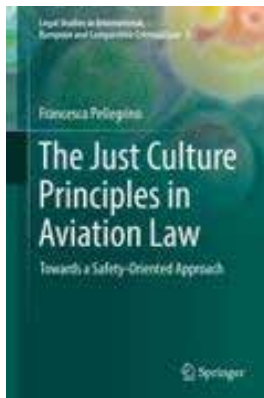
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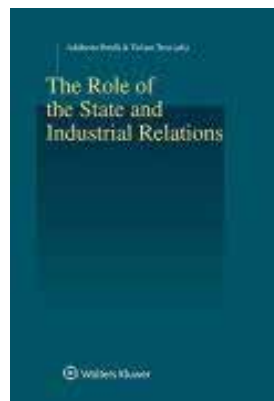
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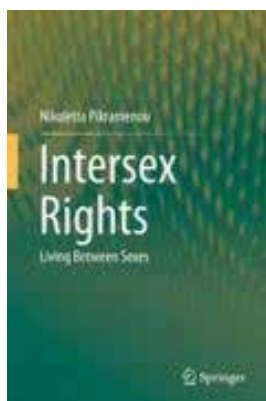
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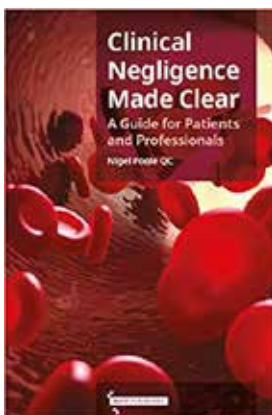
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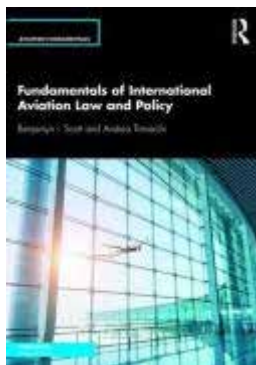
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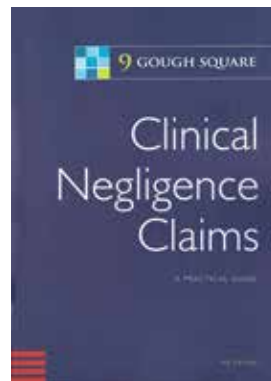
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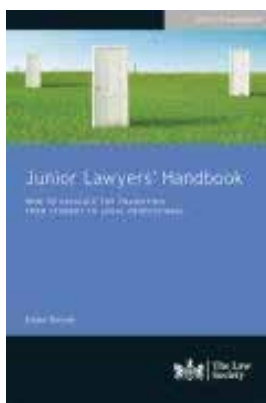
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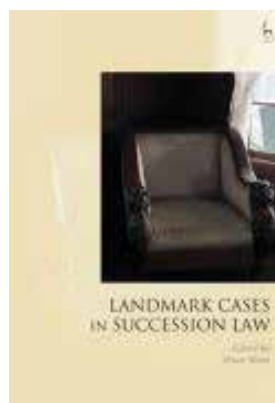
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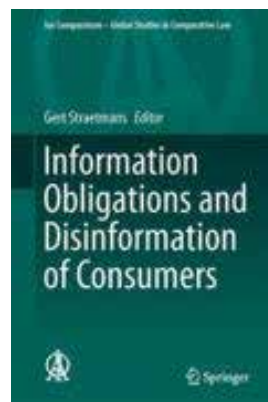
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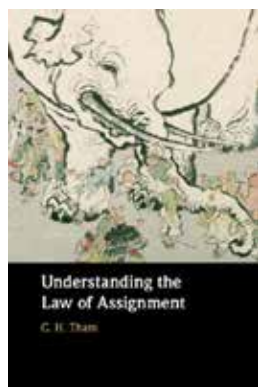
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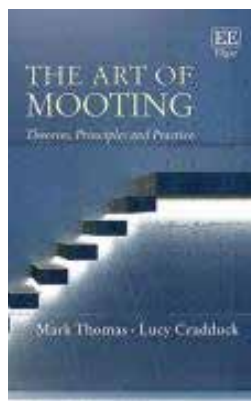
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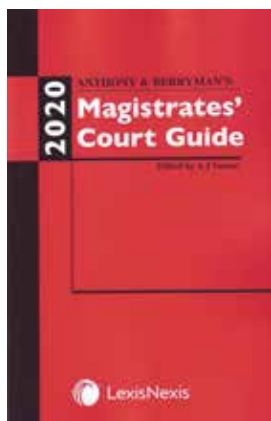
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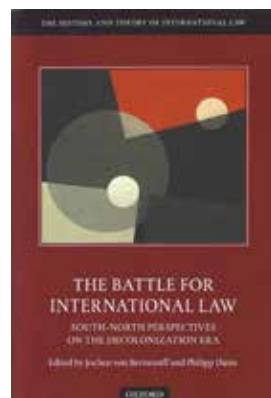
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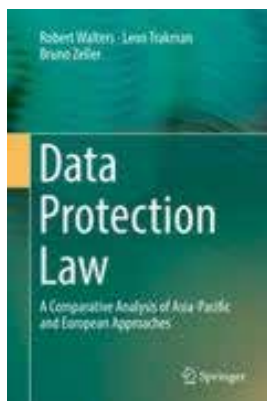
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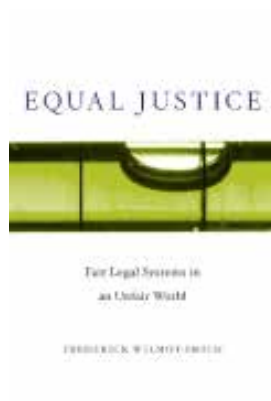
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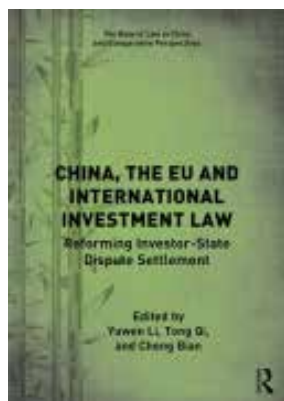
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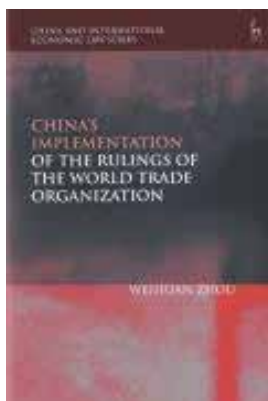
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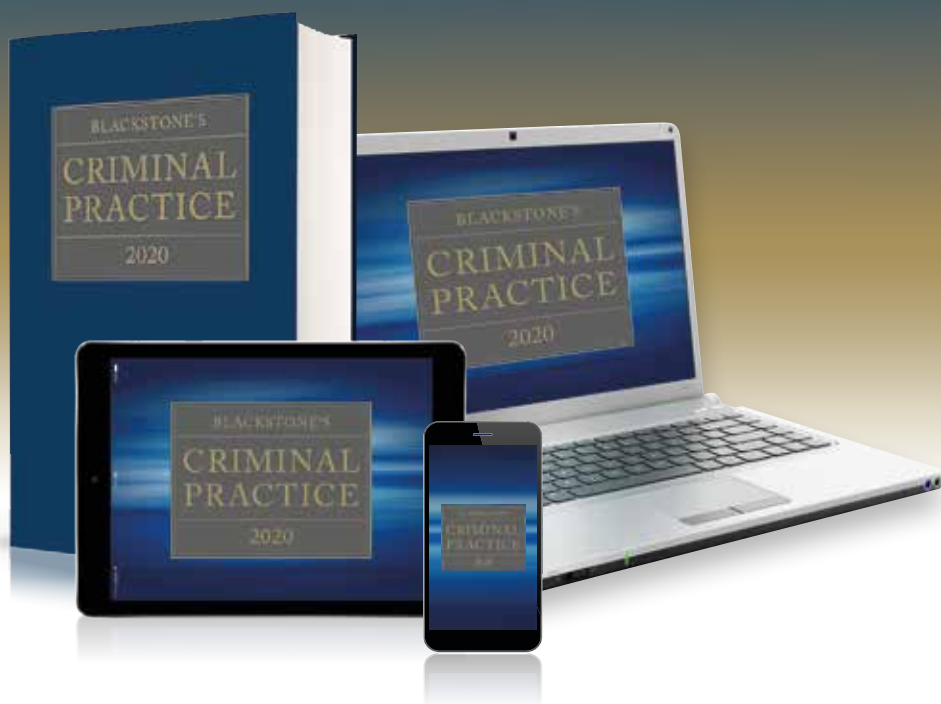
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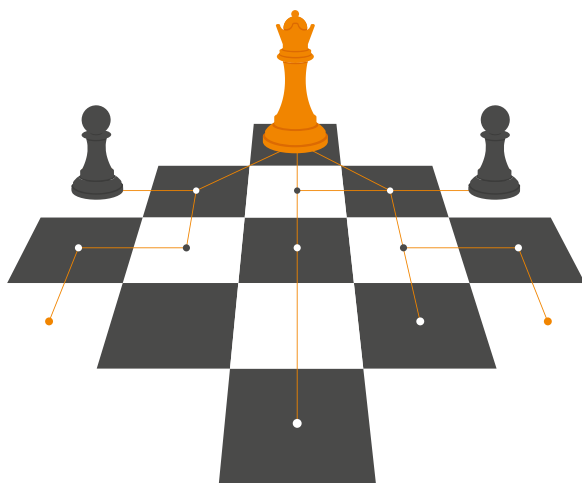
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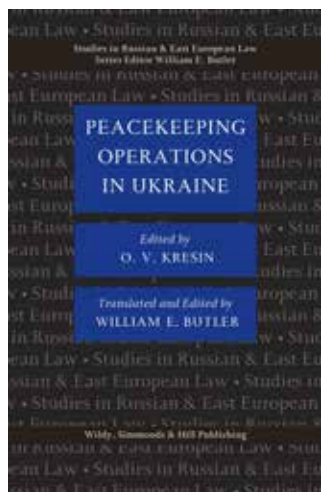
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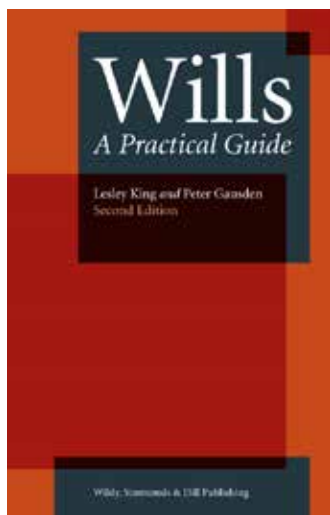
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A pioneering study of the impact of a peacekeeping operation undertaken by an international organization or third party on the territory of Ukraine and the potential interface with the Ukrainian domestic legal system. The authors consider contemporary international legal peacekeeping mechanisms, experience with recent United Nations peacekeeping operations, international legal aspects of determining the character of aggression with particular reference to the Donbas, and the distinctive features of the legal status and activity of such a peacekeeping mission were it to be introduced in the Donbas region of Ukraine.

Oleksiy Kresin, доктор юридических наук, is a leading Ukrainian international and comparative lawyer; Head, Center of Comparative Jurisprudence, Koretsky Institute of State and Law, National Academy of Sciences of Ukraine; Associate, International Academy of Comparative Law; Secretary-General, Ukrainian Association of Comparative Jurisprudence; President, Ukrainian National Committee, International Association of Legal Sciences.



WILLS: A PRACTICAL GUIDE

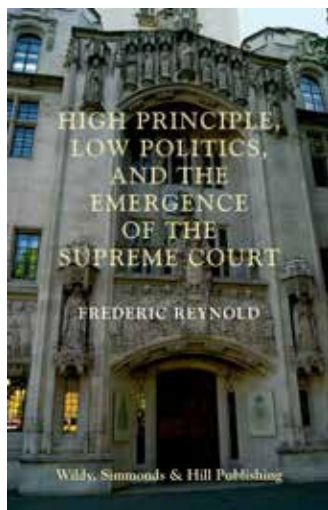
Second Edition

Professor Lesley King and Peter Gausden

Price:	£39.00
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This new edition of *Wills: A Practical Guide* explains what is involved in making a will, with particular reference to avoiding those issues which often given rise to litigation. Information is provided on the formalities for making a will, including the testator's capacity and related issues, particularly those involving the elderly, which may affect the validity of the will. There are sections on less common aspects of will-making but which often cause problems for practitioners including gifts for the benefit of pets, gifts to employees, gifts of business interests, mutual (as distinguished from mirror) wills, testamentary options, burial and other requests and dealing with property overseas. These matters are dealt with in the context of how a contentious will is now interpreted by the court in light of the Supreme Court's decision in *Marley v Rawlings* and other rules of construction.

The inheritance tax implications of will planning and drafting are covered along with typical strategies for dealing with family wealth by making best use of the exemptions and reliefs available. There is also a chapter aimed at dealing with drafting pitfalls and, more importantly, how to avoid them. Problems can arise if the existence of a will is uncertain and so there is a helpful section on storing and locating a will. The book also features a selection of useful precedents and checklists.



High Principle, Low Politics, and the Emergence of the Supreme Court

Frederic Reynold

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The Supreme Court of the United Kingdom has now been in existence for ten years and appears to have seamlessly become part of the fabric of our legal system. This book tells the remarkable story, full of twists and turns, of how and why this court came to be created; and in doing so taps into a rich seam of social and political history. It also provides an insight, free of legal jargon, into how the court has “performed” in the light of both the fears and the expectations which greeted its arrival.

The author, who has known personally some of the main characters in the story, has had a long and distinguished career at the Bar, appearing in many landmark cases in different areas of the law. His memoir: *Chance, Cheek and some Heroics* was published last year, and proved very popular.

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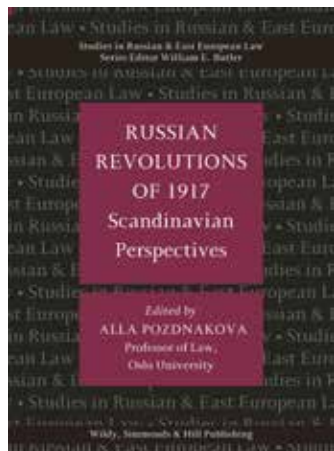
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Ten legal scholars explore facets of the 1917 Russian revolutions from the standpoint of Russian law (transition to a market economy), Comparative law (the impact of the 1917 Revolutions on the Soviet and post-Soviet legal experience; the development of comparative legal studies in Russia, and similarities and differences between Soviet and German Nazi law), and public international law (Russian fishing activities off Finnmark; Norwegian recognition policies vis-à-vis Russia; and the enduring importance of the Martens Clause in international humanitarian law).

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Alla Pozdnakova is Professor of Law at the University of Oslo in Norway.



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Sixth Edition

Safda Mahmood and Julie Doughty

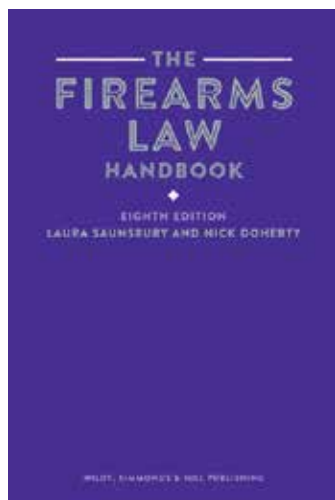
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Child Care and Protection: Law and Practice provides a practical and concise guide to the areas surrounding the Children Act 1989 and subsequent child protection legislation, guidance and case law. In addition to explaining the general principles of the law relating to child care and protection, the authors provide valuable insights into assessments, care planning, expert evidence, taking instructions, case preparation and courtroom skills.

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Safda Mahmood has extensive experience in family law private practice and local government and currently practises as a solicitor, manager, and team leader in advocacy with Coventry City Council, Legal Services Department. He also runs training courses including Professional Development training for, amongst others, members of the Law Society Children Law Accredited Scheme, as well as various professional course providers. He is a representative for the National Child Care Lawyers Advisory Legal Group.

Julie Doughty has practice experience as a former solicitor and guardian ad litem panel manager, and currently she is a lecturer in law at Cardiff University. Julie writes widely in journals on child law topics and is a trustee of The Transparency Project and Family Mediation Cymru.



THE FIREARMS LAW HANDBOOK

Eighth Edition

Laura Saunsbury and Nick Doherty

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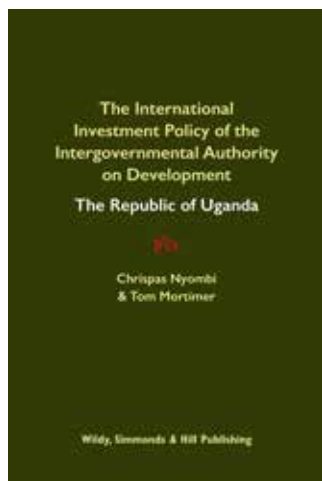
The Firearms Law Handbook covers all aspects of the law relating to the use of firearms in Britain. Those who enforce and apply the law will find it of invaluable assistance in their work. The reader who handles and sells guns, both commercially or for sport, will find everything they need to know here. Although the subjects covered can be complex, the book is written in an approachable style to be understood by all of those with an interest in the subject.

Since the seventh edition of this work in 2011 there have been significant changes to firearms legislation which are covered in full, including key changes in the Policing and Crime Act 2017 including new definitions of ‘firearm’; ‘component part’; ‘deactivated weapon’ and ‘antique firearm’.

The book covers all decisions of the higher courts regarding this area since 2011 and deals with the likely effects of the UK leaving the European Union. Police policy on the licensing of firearms is covered in addition to the process of application and appeal to the Crown Court. Applications to lift a ‘firearms prohibition’ are also considered.

Laura Saunsbury is a consultant solicitor who has been in practise for over 25 years. She specialises exclusively in firearms-related law, dealing with both firearms licensing appeals and criminal offences involving firearms. Laura is Honorary Solicitor and shotgun licensing advisor and Life Vice President of the Clay Pigeon Shooting Association and is also the Honorary Solicitor to the Deactivated Weapons Association. She is a member of the Gun Trade Association. Laura is a regular contributor to the CPSA magazine *Pull!* and gives seminars and broadcast interviews on this area of law.

Nick Doherty is a practising barrister who has been involved in firearms-related criminal work for over 30 years and now specialises in firearms licensing appeals. Since 2008 Nick has been the only common law legal advisor to the International Council for Game and Wildlife Conservation (The CIC). In addition to presenting seminars, writing articles, and giving interviews on firearms law, Nick is the chairman of a shooting club and a Liveryman of the Worshipful Company of Gunmakers.



THE INTERNATIONAL INVESTMENT POLICY OF THE INTERGOVERNMENTAL AUTHORITY ON DEVELOPMENT *The Republic of Uganda*

By Chrispas Nyombi & Tom Mortimer

Price:	£20.00
ISBN:	9780854902781
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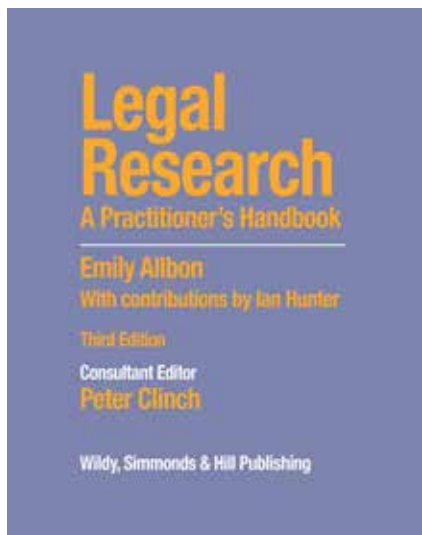
Traditionally, African states have played a very active and influential position in both the design and development of international investment law.

This book reviews the types of Bilateral Investment Treaties concluded by the Intergovernmental Authority on Development (IGAD) Member States, using Uganda as a case study, with the objective of establishing the investment treaty practice of African states. In so doing, the text sets out to examine whether African treaty practice conforms or differs from general investment law. While reviewing this practice, the text also explores the extent to which the emerging investment treaty practice interferes or restrains legitimate policy making by African states.

Ultimately, this book argues that there has been a paradigm shift in the investment treaty practice of African states. Whereas historically they have argued for and defended their state sovereignty they now adopt, via BIT's, a more peculiar position of acquiescence. This text proposes how, going forward, African states might re-assert their independence and contribute to the further development of international investment law in a meaningful and pro-active way.

Chrispas Nyombi is a Reader (Associate Professor) in International Commercial Law and Director of Research in Law at Canterbury Christ Church University. He is part of a Panel appointed by the General Assembly of IGAD tasked with creating an International Arbitration and Mediation Centre in Djibouti.

Tom Mortimer is the Director of Law at Canterbury Christ Church University. He has over thirty years of experience in legal education, including Head of Law School at three Universities and has published widely in the areas of business law in practice, comparative law and governance, International law and in learning and teaching.



LEGAL RESEARCH
A Practitioner's Handbook
Third Edition

Emily Allbon with Ian Hunter
Consultant Editor: Peter Clinch

Price:	£49.00
Edition:	3rd
ISBN:	9780854902651
Size:	246 x 189mm
Extent:	494pp
Binding:	Hardback

Legal Research: A Practitioner's Handbook provides practical advice on every aspect of effective legal research: problem analysis, selecting and finding the best sources, and presenting results effectively. This third edition has been thoroughly updated, taking into account the increasing popularity of commercial databases aimed at UK law practitioners; the overhaul of a number of government and other official sites (national and international); and significant changes to directions by UK courts relating to the conduct and presentation of legal research. New material on the use of social media in legal research, business information and making use of a law firm's internal precedents has also been added.

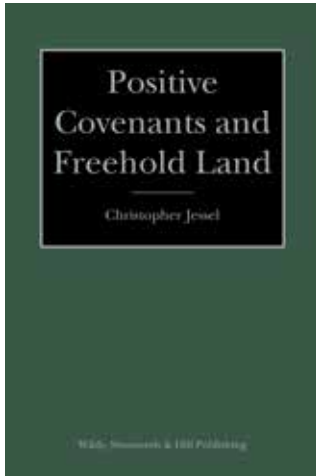
Emily Allbon is a Senior Lecturer in Law at the City Law School (City, University of London), having previously spent 14 years as an academic law librarian. She is also the human behind the popular Lawbore website.

Ian Hunter is Research & Information Services Manager at Shearman & Sterling (London) LLP, and has worked for law firms, investment banks and a university business school.

Peter Clinch had 35 years' experience in law information work, including training law students, practising solicitors and law librarians in legal research skills before retirement and wrote the first two editions of this text.

POSITIVE COVENANTS AND FREEHOLD LAND

Christopher Jessel



Price:	£95.00
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Binding:	Hardback

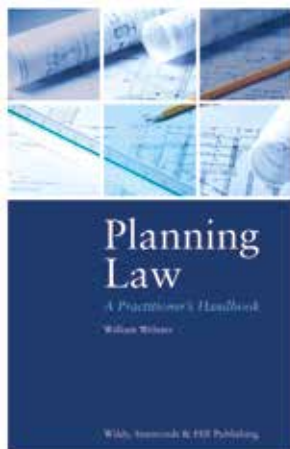
Positive covenants are obligations binding the owner of land for the time being which require some form of action or expenditure such as keeping a roof or wall in repair or paying instalments of service charge over many years.

Positive Covenants and Freehold Land concerns the rule of property law that a positive covenant cannot bind successors in title to the original covenantor. It considers the origin of the rule, the legal reasoning behind it, and the historical, social and political context in which it has developed. The book then looks at the various methods to circumvent it by using restrictions on the register of title, estate rentcharges, rights of re-entry, the principle of benefit and burden and the use of long leases as virtual freeholds.

A modern structure designed to overcome the problem is the system of commonhold which is currently under review by the Law Commission. The law of easements, particularly in relation to fencing, and the law of nuisance can have the effect of imposing positive obligations on landowners. Statutes can also either require owners to take specified steps such as keeping listed buildings in repair or they can authorise a landowner to enter into obligations as under the Town and Country Planning Act s 106. Separate chapters examine the issues to be considered on assignment of the benefit of positive covenants, on the transfer of land which is subject to the burden of them, and on the way that covenants operate in the management of housing and commercial estates.

Reform of the law of positive covenants has been in prospect for over 50 years without any response by Parliament but there is now the possibility of Government support. A chapter is included on issues to be borne in mind in drafting covenants and an examination of the juristic nature of positive covenants and their nature as part of a neighbour relationship. The book also features a number of suggested precedents for the practitioner.

Christopher Jessel is a solicitor and was a partner with Farrer & Co of Lincoln's Inn Fields, practising in rural property, constitutional and charity law and was previously Assistant Editor of the *Rights of Way Law Review*. He has written articles and books on property-related subjects including: *The Law of the Manor* (2nd ed, Wildy, Simmonds & Hill) *A Legal History of the English Landscape* (Wildy, Simmonds & Hill) *Farms and Estates: A Conveyancing Handbook* (2nd ed) and *Development Land Overage and Clawback* (2nd ed).



PLANNING LAW

A Practitioner's Handbook

William Webster

Price:	£125.00
ISBN:	9780854902552
Extent:	766pp
Binding:	Hardback

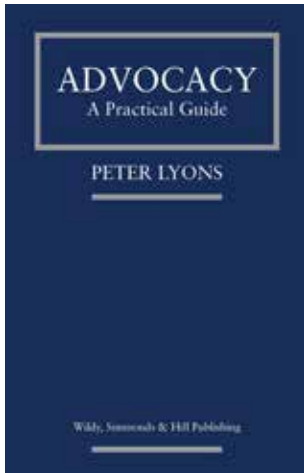
Keeping pace with planning law is no easy matter. The mass of primary and secondary legislation in this field, allied to local and national policy and guidance, make this the most intensively regulated area of the law.

This comprehensive practitioner's handbook covers the widest possible range of planning topics in a single volume and is written for planning practitioners in the private and public sectors. This book combines a readily accessible narrative with a substantial body of footnotes for those looking for more detail when it comes to case law and statutory materials.

Planning Law: A Practitioner's Handbook provides the busy planning professional with answers to a whole range of problems which commonly arise in the day-to-day practice. Its advantage lies in the fact that it is a single up-to-date reference book covering a broad range of topics which might otherwise only be found in a number of specialist texts.

It also contains sections on village greens, assets of community value, public rights of way, and gypsies and travellers, all of which impact on the realisation of land for planning purposes. The inclusion of these topics will be of particular value to practitioners in the public sector looking for up-to-date guidance in these fields.

William Webster was called to the Bar in 1975 and is a tenant at 3 Paper Buildings practicing in the fields of land and planning law. He is a member of the Chancery Bar Association and joint author of *Restrictions on the Use of Land* published by Wildy, Simmonds & Hill.



ADVOCACY A Practical Guide

Peter Lyons

Price:	£19.95
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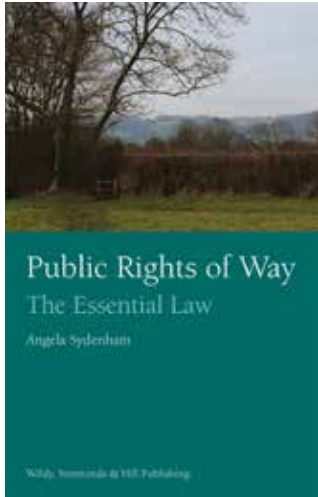
“I have read no better guide to the practicalities of good advocacy than Peter Lyons’ book. It is informed by years of experience and by a wealth of illuminating anecdotes that will instruct and entertain all advocates from the novice to the QC. It is easy to understand, comprehensive (from opening submissions, through cross-examination to final speeches) and, as one would expect of a book on advocacy, completely persuasive.”

From the foreword by Lord Pannick QC

Advocacy: A Practical Guide is for those who wish to learn essential advocacy skills as well as those seeking to make their advocacy more effective. It shows you how to overcome nerves; how to present clearly and ethically; and how to undertake case analysis. It will also show you how to succeed in Interim Applications (Motions); Handling Witnesses in Examination-in-Chief (Direct Examination) and in Cross-Examination; Re-examination; Making Submissions of Law to a Court or Panel; and Trial Speeches. There is also a section on Written Advocacy which teaches you to write persuasively and how to draft submissions and effective skeleton arguments.

The book is aimed at barristers, solicitors, arbitration lawyers, patent attorneys and students. International lawyers will also find the book helpful, providing as it does, a better understanding of common law practice such as cross-examination.

Peter Lyons is an Australian barrister and solicitor living in the UK. Since 1995 he has taught advocacy to civil, common and arbitration lawyers, barristers and patent attorneys. He designed and has taught the Bar’s Public Access course and many programmes for the top City law firms, as well as the first LLM in Advocacy at the University of Strathclyde. His company, CPD Training (UK) trains candidates for Higher Rights of Audience.



PUBLIC RIGHTS OF WAY

The Essential Law

Angela Sydenham

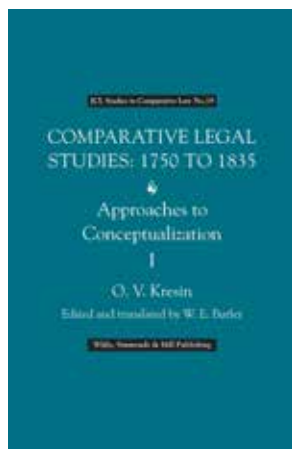
Price:	£45.00
ISBN:	9780854902088
Extent:	230pp
Binding:	Paperback

This succinct, practical and up-to-date book is an introduction to the complex area of public rights of way. It is aimed at practitioners, lawyers and surveyors, who are not necessarily experts in this area of law, but who may have to deal with rights of way in conveyancing transactions, land management or planning matters. The book will also be useful for those landowners, farmers and those working for local authorities.

For this reason, the book does not follow the conventional pattern of dividing the chapters into subject topics, but looks at the law from the angle of the landowner, the purchaser, the public users of the rights and the local authority. There will, of course, be some chapters which will be relevant to all parties.

Sections 20 to 26 of, and Schedule 7 to, the Deregulation Act 2015 will introduce many changes to the recording of public rights of way. The provisions were originally expected to come into force in April 2016. Although the relevant regulations are still awaited the book covers the prospective legislation.

Angela Sydenham was a consultant with Birketts, and was formerly Chief Legal Adviser to the Country Landowners' Association. She is the author of several books on the law relating to rural property. These include, amongst others, *Commons and Greens* (2nd edition), *Public Rights of Way* (4th edition), *Agricultural Tenancies* (Wildy, Simmonds & Hill) and has contributed to the section on commons in *Halsbury's Laws of England* and *The Encyclopaedia of Forms and Precedents*.



JCL Studies in Comparative Law No. 19
COMPARATIVE LEGAL STUDIES: 1750-1835

Approaches to Conceptualization

2 volumes

O. V. Kresin
edited and translated by
W.E. Butler

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A revisionist interpretation of the origins of comparative law as a discipline, these volumes reconsider the period from 1750 to 1835 and take the origins of “legal comparativistics” back at least eight and a half decades in comparison with traditional understandings of the history of comparative jurisprudence. The influence of Hegelian approaches is much in evidence in this study. The transformations that occurred were propelled by the secularization of natural law. Legal knowledge separated itself from philosophy and became a positivist, social, and empirical legal science.

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Oleksiy Kresin, доктор юридических наук, is a leading Ukrainian comparative lawyer; Head, Center of Comparative Jurisprudence, Koretskii Institute of State and Law, National Academy of Sciences of Ukraine; Associate, International Academy of Comparative Law; Secretary-General, Ukrainian Associate of Comparative Jurisprudence; President, Ukrainian National Committee, International Association of Legal Sciences.



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Extent:	392pp
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The concept of transparency has grown exponentially in importance around the world as a principle of good governance over the past two decades. Openness in the manner in which governments, social institutions and business corporations conduct themselves, and their willingness to disclose important information about themselves or about other actors in which they have an interest, are important features of this growth. However, greater commitment to transparency may present difficulties for an authoritarian system's political leadership. Such reform is likely to lead also to demands for political and governance change and similarly radical ideas that foster stability problems for an authoritarian political and legal system, as they enable civil society to scrutinize better the conduct of that authoritarian leadership and its institutions. On the other hand, when transparency is only partial, the government might use it as an instrument of propaganda, shaping public opinion and forestalling structural reform. The chapters in this book address the situation in mainland China where economic reform policies and a drive to gain a stronger place in the global economy have encouraged a complex and sometimes ambiguous approach to transparency. The essays explore the manner in which, and the degree to which, greater transparency in governance has emerged in the PRC. They also assess the impact of greater transparency in terms of accountability, decision-making processes, and responsiveness in the Chinese governance system. The papers in this volume have their origins in a 2016 conference on transparency issues in China held at the University of Hong Kong's Faculty of Law under the guidance of the editors, and bringing together scholars with interests in the emergence of transparency in some of the most important areas of Chinese governance.

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